

December 21, 2004

Letter to the Providers/CC Advisory Committee Members

Dear Provider/Committee Member:

I would like to take a moment of your time to first wish all of you and the children you serve a Happy Holiday! This is truly a season for the child. Despite the stresses and strains of holiday expectations, I hope that you are able to share together in these moments of joy.

Secondly, I want to inform you of upcoming changes associated with Child Care Licensing that may impact you directly. If you have any questions regarding these changes, feel free to contact your licensor for clarification. The child care health and safety standards and rules have not changed; what we are changing is the manner in which we interact. We believe that these changes will benefit the providers, the children served, as well as our licensing process. Our goal is to streamline the licensing process and achieve quality improvement of daycare facilities.

Despite what you may have read in the newspapers effective January 1, 2005 the following changes will be implemented.

- There will be at least two inspections for every provider each year, one announced, one unannounced.
- Annual compliance visits will no longer be unannounced but will be a **scheduled annual inspection**. Our goal is to give providers notification of our visit so that time can be set aside to work with us. We expect that as a result the documents and paperwork will be in order, that some thought will have been given to any questions that may arise and that the inspection process will proceed smoothly and productively.
- During this annual inspection a complete review will be conducted. When there are findings of non-compliance we will provide technical assistance. We will ask that a date of correction be given for these findings (this could be the same day we are there). We will then note the dates of corrections and leave a copy of our notes at the time of inspection.

- In addition to the complete inspection process we have identified a list of **high risk for harm** areas that are critical to the safety of children. If during any on-site visit we find non-compliance in these areas we will cite for those areas at that time.
- In addition to the scheduled annual inspection, we will also conduct an **unannounced inspection** to all facilities to assess high risk for harm areas and if needed, to determine if corrections have been made from our previous inspection.
- If the areas have not been corrected per the dates of correction we will then cite the uncorrected findings as well as any high risk for harm areas. A statement of findings will be issued through the mail and providers will then have the opportunity to correct, and the cycle of verification will begin again.
- We have also revised our complaint intake process to include an assessment of the complaint for scope and severity. In lower level complaints we will either log them in and they will be discussed at the time of the next inspection or call the provider directly at the time of the complaint. Higher scope and severity complaints will trigger an **unannounced** inspection and possible regulatory actions.
- Anonymous complaints will not be acted upon directly but will be noted in the database and/or referred to the appropriate agency.
- We are in the process of revising all of our tools including the inspection check-lists, rules, protocols, scope and severity definitions, and other documents that we use to conduct our business. We will make these available via the web site: health.utah.gov/licensing
- We have instituted a four-step review process for those occasions in which there may be areas of disagreement. These steps include:
 1. Discuss areas of disagreement with the licensor during any inspection process (the anonymous licensor evaluation survey will be reinstated effective January 1.)
 2. If the areas of disagreement are unable to be resolved, the licensor's program manager may be contacted directly and a review requested.
 3. If the areas are still unable to be resolved, then a review from the division director may be requested.
 4. If there is still no satisfactory resolution, an administrative hearing officer, who will be secured from outside of the Utah Department of Health, may be requested.

These changes are part of a continuous process to improve our regulatory practice as well as the daycare provider's ability to provide care to children and their parents. I hope it is agreed that we are moving in the right direction and as we improve our practices it will positively reflect back on the daycare community's ability to comply.

Again if you have any questions, feel free to contact your licensor directly.



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HSI Division Director